Veterans Affairs Canada

Annual Report on the Administration of the *Privacy Act*

April 1, 2010 – March 31, 2011

The Honourable Steven Blaney, MP
Minister of Veterans Affairs

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1. INTRODUCTION

The *Privacy Act* gives Canadian citizens and corporations the right to access federal government records, subject to certain specific exceptions. The Act complements but does not replace other procedures for obtaining government information. It is not intended to limit in any way the access to government information that is normally available to the public upon request.

In accordance with section 72 of the *Privacy Act*, the head of an institution is required to submit an annual report to Parliament on the institution's administration of the Act during the fiscal year. This document reports on the activities of the Department of Veterans Affairs, the Office of the Veterans Ombudsman, the Director of Soldier Settlement and the Director of the Veterans' Land Act, and describes how Veterans Affairs Canada (VAC) fulfilled its access to information and privacy protection responsibilities during the fiscal year commencing April 1, 2010, and ending March 31, 2011.

Veterans Affairs Canada

Canada's development as an independent country with a unique identity stems in no small measure from its achievements in times of war. A good part of our modern identity is also associated with pride in Canada's enviable peacekeeping record and our commitment to the war on terrorism. Canada's contribution to global peace and security, both as ally and peacekeeping partner, has come at a heavy price in terms of lives sacrificed, health forfeited and hopes unfulfilled. The Department exists to repay the nation's debt of gratitude toward those whose courageous efforts have given us this legacy, and have contributed to our growth as a nation.

Veterans Affairs Canada's mandate stems from laws, regulations, and Orders in Council. Among the more significant is the *Department of Veterans Affairs Act*, which charges the Minister of Veterans Affairs with the following responsibilities:

> *". . . the care, treatment, or re-establishment in civil life of any person who served in the Canadian Forces or merchant navy or in the naval, army or air forces or merchant navies of Her Majesty, of any person who has otherwise engaged in pursuits relating to war, and of any other person designated . . . and the care of the dependants or survivors of any person referred to . . ."*

Veterans Affairs Canada (VAC) provides services to a highly diverse clientele which reflects the remarkable breadth of Canada's contributions to world peace. Our clients include:

Veterans:

- Armed Forces and Merchant Navy Veterans who served during the World Wars or the Korean War;
- Former and, in certain cases, current members of the Canadian Forces, including those who served in Special Duty Areas and in peacekeeping; and
- Allied Veterans who lived in Canada prior to periods of war.

Other Clients

- Certain civilians who are entitled to benefits because of their war time services;
- Former and, in certain cases, serving members of the Royal Canadian Mounted Police; and
- Survivors and dependants of the foregoing groups.

In addition to serving these clients, VAC receives many requests for information from members of the public. Employees assist those who approach the Department with requests for information on our programs, services and activities. VAC joins with all Canadians in recognizing the sacrifices and achievements of those who have served in the cause of peace and freedom around the world over the years.

VAC remains strongly committed to upholding the principles of the *Privacy Act*, while providing a high level of service to our clients.

The Office of the Veterans Ombudsman

The mandate of the Ombudsman shall be

- (a) to review and address complaints by clients and their representatives arising from the application of the provisions of the *Veterans Bill of Rights*;
- (b) to identify and review emerging and systemic issues related to programs and services provided or administered by the Department or by third parties on the Department's behalf that impact negatively on clients;
- (c) to review and address complaints by clients and their representatives related to programs and services provided or administered by the Department or by third parties on the Department's behalf, including individual decisions related to the programs and services for which there is no right of appeal to the Board;
- (d) to review systemic issues related to the Board; and
- (e) to facilitate access by clients to programs and services by providing them with information and referrals.

2. ACCESS TO INFORMATION AND PRIVACY COORDINATOR'S OFFICE

The administration of the *Access to Information Act* and the *Privacy Act* is the responsibility of the Access to Information and Privacy (ATIP) Coordinator's Office which is part of the Information Technology and Information Management (ITIM) Division within the Corporate Services Branch. The Director Information Management is also the ATIP Coordinator; the union of these two roles brings together specialists who manage and protect the Portfolio's information holdings. The ATIP Coordinator acts on behalf of the Minister of Veterans Affairs, the Deputy Minister of VAC and the Veterans Ombudsman to administer the *Access to Information Act* and the *Privacy Act*. The office has a dual function of serving both the public and the Department in matters relating to the *Access to Information Act* and the *Privacy Act*.

The mandate of the ATIP Coordinator's Office within VAC is to administer the *Access to Information Act* and the *Privacy Act*, and to facilitate institutional compliance with legislative and central agency requirements. The main duties of the ATIP Coordinator's Office are to:

- Process requests for information submitted under the *Access to Information Act* and the *Privacy Act* in accordance with the legislation, regulations and Treasury Board of Canada Secretariat (TBS) policies and guidelines;
- Provide VAC managers and staff with advice and guidance regarding the interpretation and application of the *Access to Information Act*, the *Privacy Act*, and other related TBS policies and guidelines;
- Develop policies, procedures and guidelines for the administration of the ATIP acts and other related TBS policies and guidelines;
- Coordinate the completion of Privacy Impact Assessments (PIAs);
- Coordinate the resolution of any complaints against VAC made to the Information Commissioner under the *Access to Information Act* and to the Privacy Commissioner under the *Privacy Act*;
- Promote awareness of the ATIP acts to ensure departmental responsiveness to the obligations imposed on federal institutions;
- Coordinate the preparation of the VAC chapter of the *Info Source* publication; and
- Prepare annual reports to the TBS and Parliament on the *Access to Information Act* and the *Privacy Act*

Formal request processing is centralized within the ATIP Coordinator's Office in Charlottetown, Prince Edward Island, and the responsibility for disclosure rests primarily with this office. The Coordinator's Office consists of a Coordinator and a complement of 17.5 full-time equivalents (FTEs).

The ATIP Coordinator's Office supports and maintains a network of 27 ATIP Liaison Officers in each major division and region of the Portfolio. VAC has 19 liaison officers in the Charlottetown Head Office and 8 in the Regional Offices. The liaison officers, upon request, are responsible for information retrieval from the Office of Primary Interest (OPI) and for identifying sensitive information which may qualify for exemption under the Act.

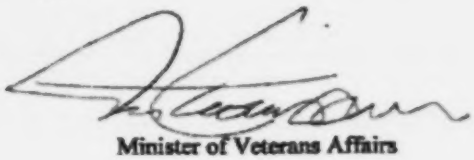
3. DESIGNATION ORDER

The responsibilities associated with the administration of the *Privacy Act*, such as notifying applicants of extensions and transferring requests to other institutions, are designated to the departmental ATIP Coordinator through a delegation instrument signed by the Minister of Veterans Affairs.

***PRIVACY ACT* DESIGNATION ORDER**

The Minister of Veterans Affairs, pursuant to section 73 of the *Privacy Act, hereby designates the persons holding the positions in the Department of Veterans Affairs set out in the schedule attached hereto, to exercise the powers and perform the duties and functions of the Minister as the head of a government institution under the sections of the Act set out in the schedule opposite the positions.**

Dated at Ottawa, this day of 2009



Minister of Veterans Affairs

4. *PRIVACY ACT DESIGNATION SCHEDULE*

HEAD OF THE INSTITUTION		MINISTER OF VETERANS AFFAIRS	
Sections of the *Privacy Act*	Powers, Duties or Functions	Institutions and Titles	
		DVA	
73	All powers, duties or functions of the head of the institution	Deputy Minister	
8(2)(*m*)	Disclose personal information without the consent of the person concerned, in the public interest or to benefit the individual	Deputy Minister	Veterans Ombudsman
20; 21	Approve exemptions	ADMs	Veterans Ombudsman
8(2)(*a*)(*b*) (*c*)(*d*)(*e*)(*f*) (*g*)(*h*)(*i*)(*j*) (*k*)(*l*)	Disclose personal information without the consent of the person concerned; for a consistent use; in accordance with the other Acts of Parliament; to comply with subpoenas; to the Attorney General for legal proceedings; to Federal Investigative Bodies; under agreement/arrangement with other governments; to members of Parliament helping individuals resolve a problem; to internal auditors or the Comptroller General; to the Public Archives; to researchers; to aboriginal peoples to settle land claims issues; and for purposes of locating an individual	ATIP Coord./ Deputy Coord.	OVO – Legal Advisor
8(5)	Notice of disclosure under paragraph 8(2)(*m*)	ATIP Coord./ Deputy Coord	OVO – Legal Advisor
8(4); 9(1)	Retain copies and records	ATIP Coord./Deputy Coord.	
9(4); 10	Notify Privacy Commissioner of consistent use and amend index of personal information banks	ATIP Coord./Deputy Coord.	
14(*a*)	Give notices re: access to records within 30 days	ATIP Coord./ Deputy Coord./Officer	OVO – Legal Advisor
15	Approve extension of time limits	ATIP Coord./ Deputy Coord.	OVO – Legal Advisor
17(2)	Language of access	ATIP Coord./ Deputy Coord./Officer	OVO – Legal Advisor
19; 22; 23; 24; 25; 26; 27; 28	Approve exemptions	ATIP Coord./ Deputy Coord.	OVO – Legal Advisor
26; 27; 28	Approve exemptions	ATIP Officer	

31; 33(2); 35(1)(4); 36(3); 37(3); 51(2)(*b*)(3)	Receive and give notices during an investigation	ATIP Coord./ Deputy Coord.	OVO – Legal Advisor
72(1)	Prepare annual report to Parliament	ATIP Coord./Deputy Coord.	

LEGEND
DVA: Department of Veterans Affairs
OVO: Office of the Veterans Ombudsman

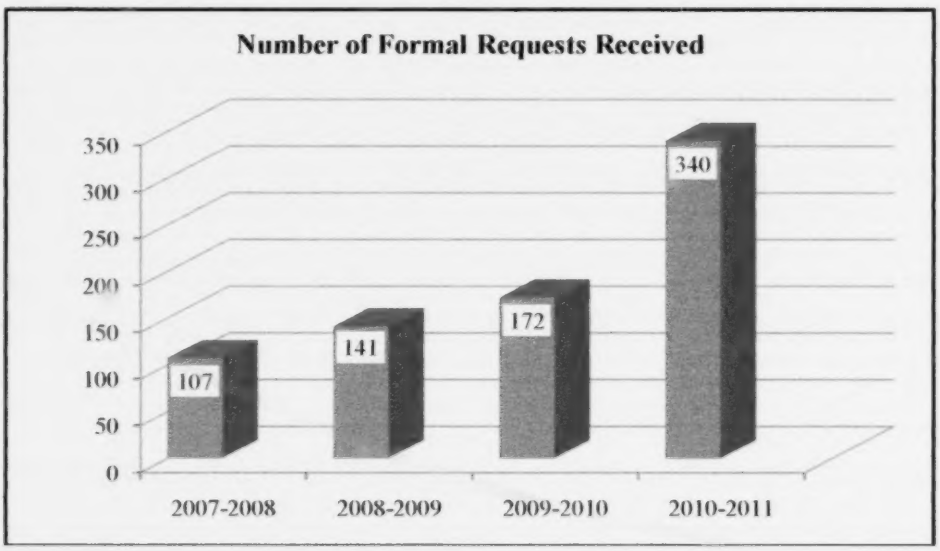
5. STATISTICAL REPORT – INTERPRETATION AND EXPLANATION

The Statistical Report, included in Annex 1, provides a summary of formal *Privacy Act* applications processed by VAC between April 1, 2010, and March 31, 2011. The following narrative provides explanations and interpretations of the statistical data.

I REQUESTS UNDER THE PRIVACY ACT

Formal Requests

Between April 1, 2010, and March 31, 2011, VAC received 340 formal requests for information under the *Privacy Act*. This represents an increase of 168 requests (or 98 per cent) from the 2009-2010 fiscal year; a 141 per cent increase as compared to the 2008-2009 fiscal year; and a 218 per cent increase as compared to the 2007-2008 fiscal year. These 340 requests, combined with 15 outstanding requests from the previous period, totalled 355 requests requiring action in the 2010-2011 reporting period.

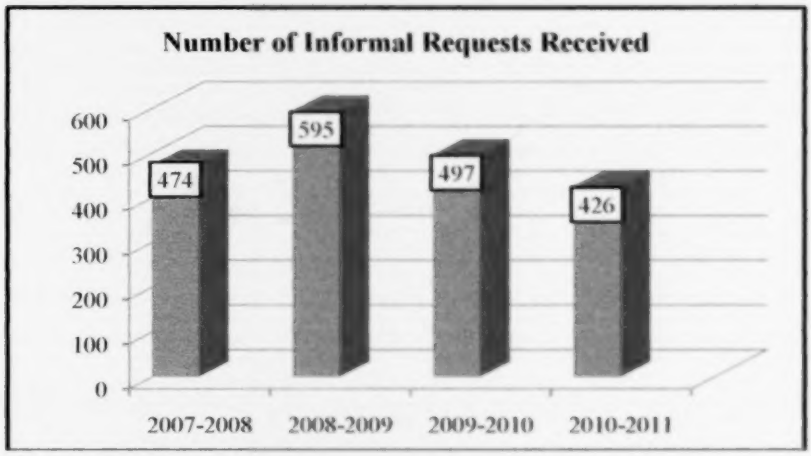


Ninety-six (96) outstanding requests have been carried forward into the 2011-2012 fiscal year.

Informal Requests

In keeping with its commitment to quality client service and transparency, the ATIP Coordinator's Office continued to informally process Privacy requests in 2010-2011. 426 requests, combined with 72 outstanding requests from the 2009-2010 period totalled 498 requests requiring processing this fiscal year, representing an increase of one request over the previous fiscal year.

43 outstanding requests have been carried forward into the 2011-2012 fiscal year.

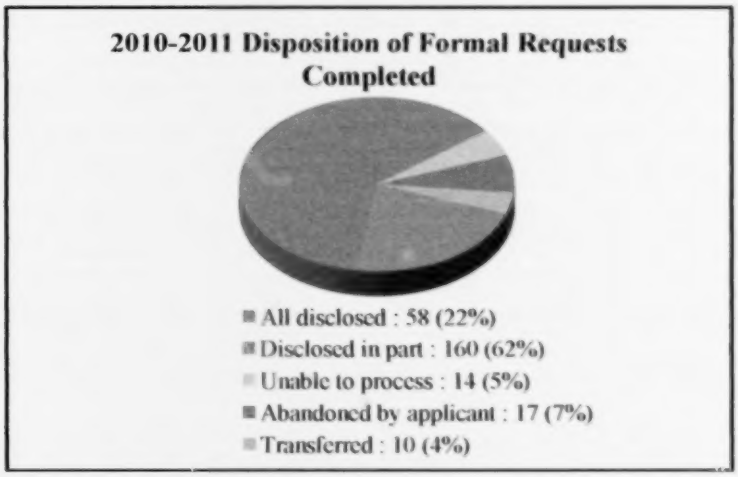


II DISPOSITION OF REQUESTS COMPLETED

Formal Requests

In total, 259 requests requiring attention were completed during the reporting period.

The disposition of the 259 requests completed in 2010-2011 is as follows:


2010-2011 Disposition of Formal Requests Completed
All disclosed : 58 (22%)
Disclosed in part : 160 (62%)
Unable to process : 14 (5%)
Abandoned by applicant : 17 (7%)
Transferred : 10 (4%)

Requests where records did not exist were recorded in the "unable to process" category. The following chart compares the number of pages reviewed and released for formal requests during the past three reporting periods. Pages with portions of information released, but with exemptions applied, are counted under "pages released". Pages not released refer to pages that have an exemption applied to the entire page.

Period	2008-2009	2009-2010	2010-2011	Variance 2010-2011 over 2009-2010
Pages Reviewed	58,816	84,146	102,427	22%
Pages Released	49,827	65,266	88,823	36%
Pages not Released	8,989	18,880	13,604	-28%

259 formal requests were completed over this fiscal year, as compared to 174 requests completed in the 2009-2010 fiscal year. This is a 49 per cent increase in requests completed, and as demonstrated in the table above, a 22 per cent increase in the number of pages reviewed.

Informal Requests

The following chart compares pages reviewed and released for informal requests during the past three reporting periods.

Period	2008-2009	2009-2010	2010-2011	Variance 2010-2011 over 2009-2010
Pages Reviewed	103,278	81,395	95,404	17%
Pages Released	65,078	44,827	55,223	23%
Pages not Released	38,200	36,568	40,181	10%

455 informal requests were completed over this fiscal year, as compared to 422 requests completed in the 2009-2010 fiscal year. This is an 8 per cent increase in informal requests completed.

The percentage of pages not released for formal requests is lower than the percentage for informal requests. This reflects the nature of informal requests which tend to consist of requests for specific documents requiring fewer pages needing review. Formal requests often consist of requests for the entire file, increasing the incidence of pages with third party information.

The overall workload trend in the unit is shifting from informal requests to formal requests. (Please refer to Section I – Requests Received Under the *Privacy Act* of this report). This shift has placed significant pressures on the staff to ensure the legislated timeframe is met when dealing with large volumes of records. This is commensurate with the change in VAC's clientele from the traditional War Veterans to CF members and Veterans and RCMP members and the

new programs and services offered under the New Veterans Charter. It has been observed that new clients request more detailed documentation related to VAC decisions and are knowledgeable about, and understand their rights to such information.

There is no legislated time frame set for informal requests within the *Privacy Act*; however, 311 informal requests of 455 were completed within 60 days.

III EXEMPTIONS INVOKED

This section of the statistical interpretation identifies the number of requests where specific types of exemptions have been invoked.

VAC invoked 170 exemptions under sections 22, 26, 27 and 28. This is a 36 per cent increase over the 2009-2010 reporting year. The most frequently used exemption was section 26 which is used to protect information about another individual.

For statistical purposes, it is important to note that exemptions applied to a case multiple times, are counted only once per case.

Exemptions Invoked 2010-2011	**Cases**
Paragraph 22(1)(*b*) (Law enforcement and investigation)	1
Section 26 (Information about another individual)	162
Section 27 (Solicitor-Client Privilege)	5
Section 28 (Medical Record)	2
Total Exemptions Invoked	**170**

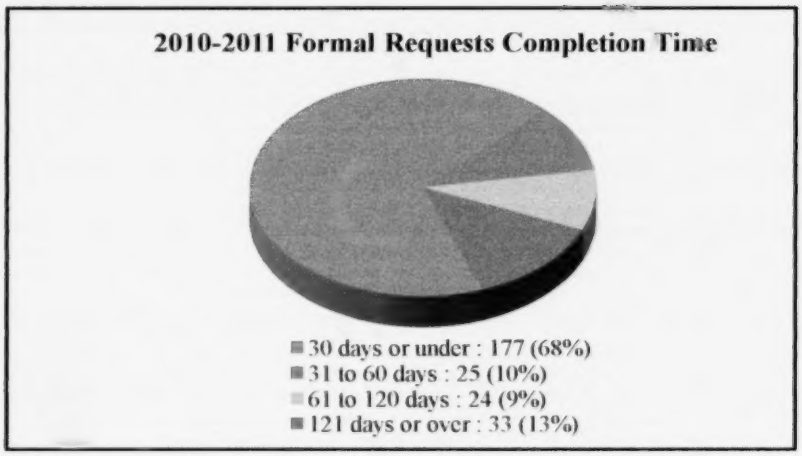
It is also important to note that the high percentage of requests that were "disclosed in part" is due to the fact that Veteran client files contain a significant amount of third party personal information.

IV EXCLUSIONS CITED

Pursuant to sections 69 and 70, the *Privacy Act* does not apply to published material, material available for purchase by the public, material placed in the Library and Archives of Canada or confidences of the Queen's Privy Council for Canada. During this reporting period, there were no exclusions to report.

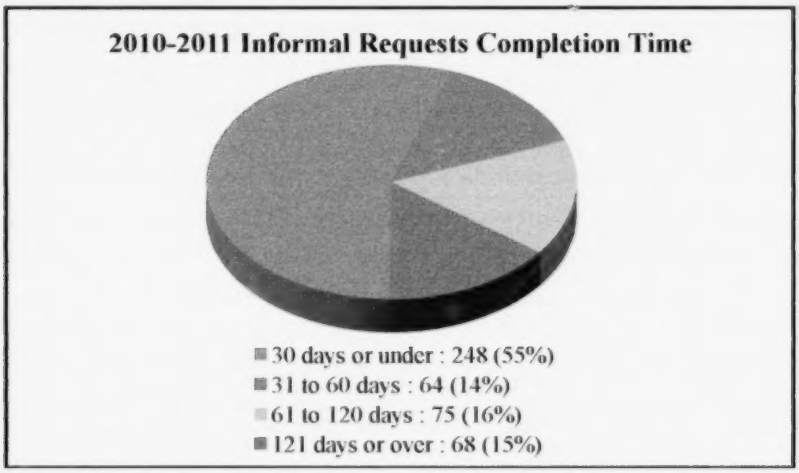
V COMPLETION TIME

Formal Requests



During the 2010-2011 reporting period, VAC completed 177 formal requests in 30 days or under and received an extension for 4 requests, for a total of 181 requests (70 per cent) successfully completed within the legislated time frame. 25 requests were completed within 31 to 60 days, 24 requests were completed within 61 to120 days, and 33 requests requiring additional time and effort were completed in 121 days or over.

Informal Requests


2010-2011 Informal Requests Completion Time
30 days or under : 248 (55%)
31 to 60 days : 64 (14%)
61 to 120 days : 75 (16%)
121 days or over : 68 (15%)

During the 2010-2011 reporting period, VAC completed 248 informal requests in 30 days or under, 64 requests were completed within 31 to 60 days, 75 requests were completed in 61 to 120 days, and 68 requests requiring additional time and effort were completed in 121 days or over.

The Department remains committed to informally process Privacy requests in a timely fashion while balancing the legislated requirements under the formal request process. 311 informal requests were completed within 60 days.

VI EXTENSIONS

During the reporting period a total of 7 requests were extended, of these, 5 were for intereference with the operations of a government institution and 2 were for the purpose of consultation with other institutions.

VII TRANSLATIONS

One privacy request required translation during the 2010-2011 reporting period.

VIII METHOD OF ACCESS

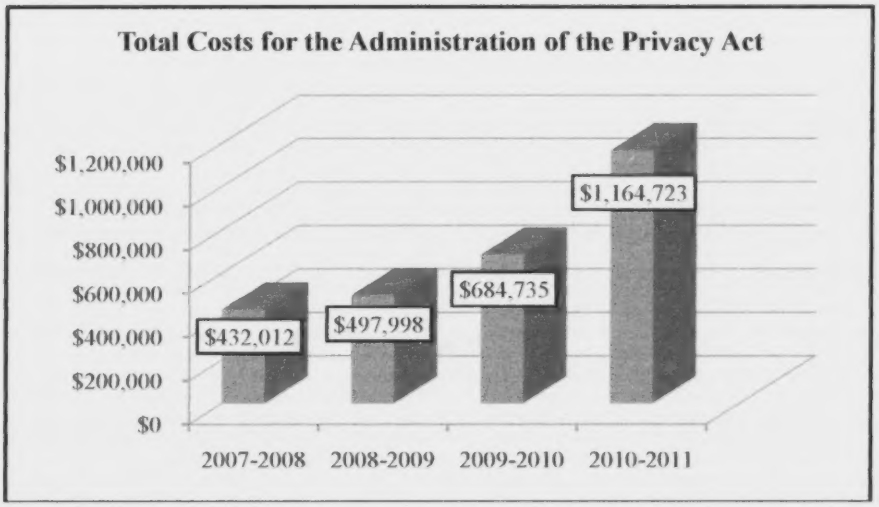
There are three methods of access whereby individuals may obtain the information they have requested. Requesters may receive copies of the material, examine the information during an arranged time or examine and receive copies of the information. Of the 259 formal requests completed, applicants received copies of the material they had requested fully or in part in 218 cases. In the remaining 41 cases, the requests were either abandoned by the applicant (17), transferred to another institution (10), or could not be processed as records did not exist (14).

IX CORRECTIONS AND NOTATIONS

Individuals are entitled to request correction and notation of their personal information where the individual believes there is an error or omission therein. No requests for corrections were received during the 2010-2011 reporting period.

X COSTS

VAC spent a total of $1,164,723 to administer the *Privacy Act* during the reporting period. Staff salaries accounted for $1,130,058 which is equivalent to 13.71 person-year utilizations. An additional 3.85 person-years were expended in administering the *Access to Information* Act. Other administrative costs (representing operations and maintenance expenditures) amounted to $34,655.



There has been a 58 per cent increase in the total costs for administration of the *Privacy Act* over the last reporting period, and a 151 per cent increase over the past four periods. The requests have been increasingly more complicated, involving more detailed documents and increased processing activity.

In order to cope with this increase, the Department has allocated more resources to the ATIP Coordinator's Office. Annex 2 provides a summarized table that captures the four-year trend of Privacy work.

6. DESCRIPTION OF MAJOR CHANGES IMPLEMENTED

Department

Throughout 2010-2011, VAC started to review and refine the organizational structure to address service delivery needs and priorities. In October 2010, an Associate Deputy Minister was appointed to report to the Deputy Minister and take primary responsibility for transformation within VAC. In addition, the branches and divisions reporting to the Deputy Minister underwent organizational changes. The Departmental structure as of March 31, 2011 revolves around three branches and five divisions or areas reporting to the Deputy Minister. The three branches are: Service Delivery; Policy Communication and Commemoration; and Corporate Services. The divisions include: Audit and Evaluation; Bureau of Pensions Advocates; Departmental Secretariat and Policy Coordination; Human Resources; and Ste. Anne's Hospital.

Information Management Services Directorate (IMSD)

In 2010-2011, IMSD continued the work that had been initiated in previous years to gain efficiencies and improve client service under the *Access to Information Act* and the *Privacy Act*.

- Since last fiscal year, the Information Management Services Directorate (IMSD) has become further integrated into many aspects of the Information Technology components of the Information Technology and Information Management (ITIM) Division. The Director of IMSD now holds a seat and decision-making role on all major IT-led committees, such as the ITIM Executive Committee and the Architectural Guidance Board. IM input and approval is required for all new systems and applications to ensure compliance with IM and privacy legislation, policies and directives.
- Recommendations made to VAC by the Office of the Privacy Commissioner in October 2010 resulted in the development of a Privacy Action Plan and the development and delivery of tools and training to support the implementation of a department-wide Privacy Management Framework. Steps were taken to implement, by April 1, 2011, a privacy protection infrastructure that will guide all future activities of the Department in ensuring the protection and appropriate handling of personal information.
- IMSD led the development and implementation of the position of a Chief Privacy Officer, a Privacy Steering Committee and a Privacy Protection Infrastructure based on the recommendations of the Office of the Privacy Commissioner and VAC's Privacy Action Plan.
- Administration of the *Access to Information Act* and the *Privacy Act* continue to be supported by improvements in IM at VAC. Following the establishment and implementation of a new Records Disposition Authority in 2009, VAC continues to work through the exploration of tools to assist in effective record-keeping. A new functional classification system is in development to closely align records with the current programs and activities within the Department. VAC has engaged contractors to identify a strategic path for implementation of an electronic document and records management system. This work enhances the Department's ability to respond to ATIP requests.
- In support of the Treasury Board of Canada Secretariat (TBS) Policy on Information Management and Policy on Privacy Practices, VAC's Finance Division and IMSD continue the practice of contract review to ensure that IM and ATIP requirements are included in contractual terms and conditions for contractors and third parties providing services to, or on behalf of, VAC. IM Specialists review Statements of Work for professional service contracts and provide content, advice and guidance to managers regarding IM and ATIP issues. In the fiscal year 2010-2011, 141 contracts were reviewed.
- In 2010-2011, VAC Privacy Specialists reviewed approximately 425 departmental forms to ensure sufficient notice statements are created and all legislative and policy requirements are met.
- VAC continues to work on updating all information holdings to accurately reflect the activities and programs of the department. VAC was not subject to an IM MAF Assessment in 2010-2011 but continued to work in consultation with the Treasury Board Secretariat to identify and address requirements for the *Info Source* Chapter.
- Activities under the Privacy Action Plan that were completed include a detailed system access review for systems containing client information, the implementation of a privacy lens for briefings to ensure the protection of personal information, enhanced monitoring of system access for systems containing personal information, and mandatory and in-depth training on privacy policies and procedures. In addition, activities and processes

involving database information from VAC client information systems have been reviewed to ensure appropriate privacy practices are in place with respect to all aspects of reporting.

- Other projects initiated include a review of all departmental business processes with a privacy lens to ensure that the actions and activities of the Department are compliant with all privacy legislation and policy.

7. PRIVACY TRAINING AND AWARENESS

Training

During the 2010-2011 fiscal year training related to Information Management, Access to Information and Privacy was provided to over 3000 staff at all levels. Some training was aimed at addressing the requirements of the Privacy Action Plan and following through on recommendations made by the Office of the Privacy Commissioner. Other sessions continued to build on the progress made in previous years to ensure that staff and managers understand their roles and responsibilities with respect to information management, access to information and privacy.

- 2700 staff and contractors received mandatory training on the Need to Know principle to highlight requirements and to ensure staff were clear on their responsibilities and limitations on accessing client information.
- Approximately 380 staff received training on IM and privacy issues as a result of delivering "Demystifying Information Management", Managers and Supervisors Orientation training and other sessions relating to ATIP records management. These training sessions include an overview of Information Management responsibilities, documentation, Privacy, Access to Information and practical guidance on day-to-day management of information, the services available at VAC in relation to IM and ATIP and a question and answer segment. The objective of the session is to expand staff knowledge of IM and ATIP, specifically staff responsibilities, and to ensure staff members have sufficient knowledge to meet basic IM and ATIP requirements.
- Departmental Subject Records hosted a number of information tours for Canada Remembers staff as part of their Knowledge Transfer training to familiarize them with the mandate and operations of the central records repository.

Awareness

- The Information Management Services Directorate internal website (intranet) was updated to include new information, in an easily accessible format, relating to the resources and tools developed to support the Privacy Management Framework. A new question and answer section for IM and privacy-related questions, based on actual questions received from staff, was incorporated into the IM space and will continue to be updated with relevant topics and questions. Ten new approved policies, directives and/or guidelines were added to the site as resources to be used and understood by all staff.

- VAC recognized Data Privacy Day, January 28th, 2011, with an article in the Carillon Express, the internal electronic newsletter housed on the VAC Today intranet website.
- Following recommendations made by the Office of the Privacy Commissioner in October 2010, VAC kept all staff informed of the activities and changes underway in the Department to improve privacy and IM practices through the use of a number of articles in newsletters, for both internal and external distribution, and on the internal website. Subjects ranged from information about the Privacy Action Plan to recommendations for best practices related to privacy and IM.
- In the fall of 2010 the Director General ITIM launched a business process review project which included the development of a privacy lens tool. Information sessions were held with individuals involved in the development of processes and procedures throughout VAC, with emphasis placed on understanding the privacy principles and ensuring compliance with IM and privacy practices through effective business processes.
- VAC continues to work with TBS on updating Personal Information Banks and Classes of Records to ensure that the information holdings reported in *Info Source* are aligned with departmental programs and activities. Awareness of the importance of identifying uses and disclosures for all activities and services continued to be raised with staff. Also, a departmental business process review that began in the fall of 2010 has placed increased emphasis and awareness on the importance of reporting how information is handled.
- Information sessions on the Privacy Management Framework and the related tools and reference documents were delivered by the Director of IMSD and ATIP Coordinator, and the Director General of ITIM to management teams across the Department. Recipients included management from the regions and various sectors at head office.
- Informal awareness and information sessions were provided as requested to teams from various areas of the Department. Based on questions raised by the program areas, staff from IMSD met with groups of employees at varying levels to provide general guidance and discuss best practices around IM and privacy.
- IMSD actively promoted the existence of IM and ATIP mailboxes as places to direct questions and answers relating to IM and ATIP. Employees throughout the Department with any questions relating to IM and ATIP were encouraged to send their questions and comments to these mailboxes. Staff within IMSD triaged and responded to approximately 1000 questions that were directed through these mailboxes.
- VAC implemented an internal Wiki for use as a collaborative tool within working areas. As part of the implementation of this tool and release to identified groups, IM and privacy requirements were addressed during the training session. In addition, IM Specialists met with each group's Wiki Champions to provide advice and guidance on how best to maintain compliance with IM and privacy requirements within the context of the Wiki.

8. POLICIES AND GUIDELINES

In the 2010-2011 fiscal year, a new focus was placed on reviewing, revising and communicating policies and guidelines.

- As part of VAC's Transformation Agenda to address the modernization of service delivery to better meet the needs of the Veteran and address the requirement to improve efficiencies and effectiveness, VAC has initiated new working groups to support new initiatives which will enable this transformation.
- IM staff participated on numerous departmental working groups, providing an opportunity to promote an understanding of ATIP and IM issues and reinforcing the importance of compliance with IM and ATIP legislation and policies. Staff members provide advice and guidance to project teams during the development and implementation of the project/program and follow through once the project/program is in place. In 2010-2011, participation on working groups was expanded to the newly formed groups responsible for identifying and implementing changes specifically related to the Transformation Agenda.
- VAC implemented 10 new policies, directives and/or guidelines relating to information management and privacy in support of efforts to enable staff to comply with legislation and policy. Examples include the Regional Office File Content Policy, the VAC Privacy Impact Assessment Policy and Procedures, a General Privacy Policy and Guidelines, a Privacy Breach Policy, Privacy Breach Guidelines, and other policies relating to disclosures of personal information. Work on the development of policies, directives and guidelines will continue into the new fiscal year as VAC works to interpret legislation and direction from central agencies for VAC employees.
- IMSD worked closely with the Communications Division to identify effective methods of communicating and notifying staff of changes and requirements throughout the implementation of the Privacy Action Plan and the development of tools and resources for VAC staff.

9. COMPLAINTS AND INVESTIGATIONS

In 2010-2011, the Privacy Commissioner received nine (9) complaints against VAC and two (2) complaints were carried over from 2009-2010 for a total of eleven (11) complaints requiring attention. Four (4) complaints received a ruling during the period and seven (7) have been carried over to 2011-2012.

Of the complaints that received a ruling, two (2) complaints were discontinued, one (1) was well founded and one (1) was resolved.

The substance of the complaints was as follows:

- Four individuals complained that VAC contravened the Use and Disclosure provisions of the *Privacy Act* – two cases were "discontinued" , one was "well founded" and "resolved" and one was "resolved".

10. PRIVACY IMPACT ASSESSMENTS (PIAS)

In accordance with the Treasury Board Secretariat Privacy Impact Assessment Policy, VAC conducts Privacy Impact Assessments (PIAs) on new programs, systems or policies, or when substantial modifications are made to an existing program, system or policy.

In 2010-2011, VAC initiated 3 PIAs on different initiatives scheduled for implementation in the next fiscal year. As of March 31, 2011, these PIAs were in various stages of completion and approvals.

In March 2011, a new governance process for PIAs was implemented in accordance with a new Privacy Protection Infrastructure. All PIAs, including those identified here, will be approved by VAC's Chief Privacy Officer and the Privacy Steering Committee. Oversight will be provided to ensure the appropriate and timely implementation of all risk management strategies. In addition, a new VAC PIA Policy and Procedures has been implemented to provide direction and clear guidance on the requirements for conducting an effective PIA.

PIA in Support of "My VAC Account" Enhancements

"My VAC Account" is the on-line system available to clients to access certain information about VAC's benefits and services and, in certain circumstances, access application forms. VAC's Service Delivery Branch has committed to improving services to clients. As a result of this commitment, enhancements to "My VAC Account" have been identified and are in various planning stages. Planned changes assessed in the recent PIA include allowing VAC's clients to update their residential, mailing and/or temporary addresses, update their telephone numbers, update their e-mail address and submit inquiries to VAC through a secure channel and receive responses to their inquiries from VAC.

Service Health Records Digital Imaging Initiative

Various technologies available have been identified to aid in meeting the Service Delivery Branch's commitment to modernize and improve the delivery of services to clients, partnerships and opportunities. Utilizing modern digital imaging technology, Service Health Records will be transferred to an electronic format by Public Works and Government Services digital imaging centre in Matane, Québec. This will allow VAC employees immediate access to records, regardless of physical location, in order to begin processing applications for benefits and services to meet the needs of the client.

As both of these initiatives involve a significant change to the way VAC communicates with and about clients, and processes information, the decision was made by VAC to conduct a PIA for each project.

Client Reported Outcomes Monitoring Information System

The National Centre for Operational Injuries at VAC was mandated by VAC's Audit and Evaluation Committee to create a client-reported outcome monitoring system to better evaluate the effectiveness of the Operational Stress Injury Clinic Network. As this is a new system and new collection of information related to mental health activities for which VAC provides oversight, there was a clear opportunity and incentive for conducting a PIA to identify any potential risks associated with this initiative.

The PIAs conducted in relation to the initiatives noted here have identified a number of potential privacy risks based on the ten privacy principles. A privacy risk management plan was developed for each initiative and implementation of the plans is under way even as the

documents await final approvals. This will ensure risks are mitigated as quickly and efficiently as possible.

PIA summaries will be made available on the VAC website at the following link:

http://www.veterans.gc.ca/eng/sub.cfm?source=department/reports/pia

once the final PIAs have been approved through the VAC PIA governance process.

11. Disclosures Pursuant to Paragraph 8(2)(*m*)

There were no disclosures of personal information pursuant to paragraph 8(2)(*m*)(i) of the *Privacy Act* during the reporting period. This provides for disclosure for any purpose where, in the opinion of the head of the institution, the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure.

12. Disclosures Pursuant to Subsection 8(2)

During the reporting period, VAC made 24 additional disclosures of personal information pursuant to various paragraphs under subsection 8(2) of the *Privacy Act*.

Disclosure	Cases
Paragraph 8(2)(*b*) (In accordance with any Act of Parliament)	2
Paragraph 8(2)(*c*) (Compliance with a subpoena or warrant)	9
Paragraph 8(2)(*d*) (Disclosure to the Attorney General of Canada)	4
Paragraph 8(2)(*e*) (Disclosure to an investigative body)	2
Paragraph 8(2)(*f*) (Disclosure under an agreement between the Government of Canada and the government of a province)	5
Paragraph 8(2)(*l*) (Government institution to collect a debt owing to Her Majesty)	2
Total Disclosures	**24**

This is a 54 per cent decrease in disclosures over last reporting period.

13. Appeals to the Courts

VAC has no appeals to the courts to report for the reporting period, April 1, 2010, to March 31, 2011.

Annexes

Annex 1 – Statistical Report on the *Privacy Act*

Government of Canada / Gouvernement du Canada

REPORT ON THE *PRIVACY ACT*

RAPPORT CONCERNANT LA *LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS*

Institution	Reporting period/Période visée par le rapport
Veterans Affairs Canada / Anciens Combattants Canada	2010-04-01 to/à 2011-03-31

I Request under the *Privacy Act*/ Demand en vertu de la *Loi sur la protection des renseignements personnels*

Received during reporting period/ Reçues pendant la période visée par le rapport	340
Outstanding from previous period/ En suspens depuis la période antérieure	15
TOTAL	355
Completed during reporting period/ Traitées pendant la période visées par le rapport	259
Carried forward/ Reportées	96

II Disposition of request completed/ Disposition à l'égard des demandes traitées

1.	All disclosed/ Communication totale	58
2.	Disclosed in part/ Communication partielle	160
3.	Nothing disclosed (excluded)/ Aucune communication (exclusion)	0
4.	Nothing disclosed (exempt)/ Aucune communication (exemption)	0
5.	Unable to process/ Traitement impossible	14
6.	Abandonned by applicant/ Abandon de la demande	17
7.	Transferred/ Transmission	10
TOTAL		259

III Exemptions invoked/ Exceptions invoquées

S. Art. 18(2)	0
S. Art. 19(1) (a)	0
(b)	0
(c)	0
(d)	0
S. Art.20	0
S. Art. 21	0
S. Art. 22(1) (a)	0
(b)	0
(c)	1
S. Art. 22(2)	0
S. Art. 23 (a)	0
(b)	0
S. Art. 24	0
S. Art.25	0
S. Art. 26	162
S. Art. 27	5
S. Art. 28	2

IV Exclusions cited/ Exclusions citées

S. Art. 69(1) (a)	0
(b)	0
S. Art. 70(1) (a)	0
(b)	0
(c)	0
(d)	0
(e)	0
(f)	0

V Completion time/ Délai de traitement

30 days or under/ 30 jours ou moins	177
31 to 60 days/ De 31 à 60 jours	25
61 to 120 days/ De 61 à 120 jours	24
121 days or over/ 121 jours ou plus	33

VI Extentions/ Prorogations des délais

	30 days or under/ 30 jours ou moins	31 days or over/ 31 jours ou plus
Interference with operations/ Interruption des opérations	5	0
Consultation	2	0
Translation/ Traduction	0	0
TOTAL	7	0

VII Translations/ Traductions

Translations requested/ Traductions demandées		1
Translations prepared Traductions préparées	English to French/ De l'anglais au français	1
	French to English/ Du français à l'anglais	0

VIII Method of access/ Méthode de consultation

Copies given/ Copies de l'original	218
Examination/ Examen de l'original	0
Copies and examination/ Copies et examen	0

IX Corrections and notations/ Corrections et mention

Corrections requested/ Corrections demandés	0
Corrections made/ Corrections effectuées	0
Notation attached/ Mention annexée	0

IX Costs/ Coûts

Financial (all reasons)/ Financiers (raisons)	
Salary/ Traitement	$ 1,130,058.00
Administration (O and M)/ Administration (fonctionnement et maintien)	$ 34,665.00
TOTAL	$ 1,164,723.00

Person year utilization (all reasons)/ Années-personnes utilisées (raisons)	
Person year (decimal format)/ Années-personnes (nombre décimal)	13.71

Canada

TBS/SCT 350-63 (Rev. 1999-03)

Annex 2 – Four-Year Statistical Analysis

	2007-2008	2008-2009	2009-2010	2010-2011	Variance 2010-2011 over 2009-2010
Requests	107	141	172	340	98%
Requests carried forward from prior year	9	5	17	15	-12%
Total requests	116	146	189	355	88%
Completed requests	111	129	174	259	49%
Requests carried forward to next year	5	17	15	96	540%
Completed in 30 days or under	94	118	154	177	15%
Completed in 31 days or over	17	10	20	82	310%
Exemptions invoked	80	81	125	170	36%
Extensions	1	2	10	7	-30%
Total costs for the administration of the *Privacy Act*	$432,010	$497,998	$684,735	$1,164,723	70%
Salaries	$417,655	$466,780	$659,390	$1,130,058	71%
FTEs	7.74	8.70	10.14	13.71	35%
Administration costs (Operations and Maintenance)	$14,355	$31,220	$25,345	$34,665	37%
Disclosures	59	18	52	24	-54%
Informal requests received	474	595	497	498	0%
Informal requests completed	Not Reported	534	422	455	8%
Complaints received	5	5	3	9	200%
Complaints ruled on	4	4	5	4	-20%
PIAs completed	1	1	6	0	-100%
Translations	0	0	1	1	0%

This publication can be made available upon request. For further information or to obtain additional copies please contact:

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